

05-24-04

PTO/SB/21 (04-04)

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/784,090
	Filing Date	February 20, 2004
	First Named Inventor	Henry W. Bonk et al.
	Art Unit	Unknown
	Examiner Name	Unknown
Total Number of Pages in This Submission	Attorney Docket Number	402200003DVC

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form 1449 and Return Postcard		
<table border="1"><tr><td>Remarks</td><td>The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.</td></tr></table>			Remarks	The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.
Remarks	The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.		
Signature	<i>Anna M Budde</i>		
Date	May 21, 2004		

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Anna M. Budde	Express Mail Label No.	EV406075419US (5/21/2004)
Signature	<i>Anna M Budde</i>	Date	May 21, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EV 406 075 419 US



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/784,090
Filing Date: February 20, 2004
Applicant: Henry W. Bonk et al.
Group Art Unit: Unknown
Examiner: Unknown
Title: GAS-FILLED CUSHIONING DEVICE
Attorney Docket: 402200003DVC

Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION

The patents, publications and other information requested to be considered by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

II. COPIES

A. ____ Submitted herewith is a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cross-referenced pending U.S. application listed below in Section IV, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

B. X Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

08/475,276

09/170,790

10/377,540

U.S. Filing Date

June 7, 1995

October 13, 1998

February 28, 2003

C. X Because the present application was/is being filed after June 30, 2003, no copies of the U.S. patents or U.S. patent application publications which are listed on the attached Form 1449 are enclosed pursuant to the waiver of 37 C.F.R. § 1.98(a)(2)(i). Any foreign patent documents or non-patent literature listed on the attached Form 1449 are enclosed herewith.

D. ____ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form-1449 for consideration by the Examiner and for listing on any patent resulting from this application. If the International Search Report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g))

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A. ____ Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B. X A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

1. ____ See the attached foreign patent office communication from a counterpart foreign application.
2. ____ English translations are provided.
3. X See Information Disclosure Statements for applications relied upon for earlier filing date under 35 U.S.C. § 120 above.

C. ____ The following additional information is provided for the Examiner's consideration.

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. X The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. § 122.

<u>Serial No.</u>	<u>Filing Date</u>	<u>Art Unit</u>
09/965,482	September 27, 2001	1772

V. THIS IDS IS BEING FILED UNDER

A. X **37 C.F.R. § 1.97(b):** (check only one box)

1. ____ within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.
2. ____ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.
3. X before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).
4. ____ before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B. ____ **37 C.F.R. § 1.97(c):** (check only one box)

before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. ____ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).
2. ____ See the certification below. No fee is required.

C. ____ **37 C.F.R. § 1.97(d):**

after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. ____ See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

A. ____ each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F. R. 1.704(d) below in section VII, if applicable; or

B. ____ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

C. ____ Some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. STATEMENT UNDER 37 CFR 1.704(d)

The undersigned hereby states that:

____ each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this IDS.

VIII. PAYMENT OF FEES (check only one box)

A. ____ A check in the amount of \$180.00 is enclosed for the above-identified fee.

B. ____ Please charge Deposit Account No. 08-0750 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

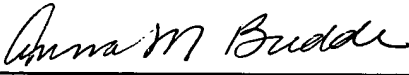
The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 08-0750.

Respectfully submitted,

Dated: May 21, 2004

By: 
Anna M. Budde
Reg. No. 35,085

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600



FORM HDP-1449 (Based on Form PTO-1449)

**PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Sheet 1 of 6

ATTORNEY DOCKET NO.

SERIAL NO.

4022-000003/DVC

10/784,090

APPLICANT

Henry W. Bonk et al.

FILING DATE

GROUP

February 20, 2004

Unknown

U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		3,718,494	02/27/73	Jacobson		
2.		4,082,854	04/04/78	Yamada et al.		
3.		4,219,945	09/02/80	Rudy		
4.		4,257,176	03/24/81	Hartung et al.		
5.		4,340,626	07/10/80	Rudy		
6.		4,344,987	08/17/82	Ostertag et al.		
7.		4,423,185	12/27/83	Matsumoto et al.		
8.		4,429,076	01/31/84	Saito et al.		
9.		4,501,790	02/26/85	Aizawa et al.		
10.		4,513,058	04/23/85	Martin		
11.		4,536,425	08/20/85	Hekal		
12.		4,551,518	11/5/85	Matsumoto et al.		
13.		4,557,859	12/10/85	Maeda et al.		
14.		4,610,099	09/09/86	Signori		
15.		4,614,208	09/30/86	Skarelius		
16.		4,639,471	01/27/87	Hirai et al.		
17.		4,660,831	04/28/87	Kralik		
18.		4,681,797	07/21/87	Van Iseghem		
19.		4,692,361	09/08/87	Johnston et al.		
20.		4,722,131	02/02/88	Huang		
21.		4,731,289	03/15/88	Coleman		

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM HDP-1449 (Based on Form PTO-1449) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) Sheet 2 of 6	ATTORNEY DOCKET NO.	SERIAL NO.
	4022-000003/DVC	10/784,090
	APPLICANT	
	Henry W. Bonk et al.	
	FILING DATE	GROUP
	February 20, 2004	Unknown

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
22.		4,786,685	11/22/88	Takida et al.		
23.		4,864,738	09/12/89	Horovitz		
24.		4,874,670	10/17/89	Boon et al.		
25.		4,887,367	12/19/89	Mackness et al.		
26.		4,890,822	01/02/90	Ezure et al.		
27.		4,927,689	05/22/90	Markiewicz		
28.		4,936,029	06/26/90	Rudy		
29.		4,960,639	10/02/90	Oda et al.		
30.		4,978,394	12/18/90	Ostertag et al.		
31.		4,999,229	03/12/91	Moritani et al.		
32.		5,003,002	03/26/91	Ofstein		
33.		5,030,404	07/09/91	Bonnebat et al.		
34.		5,036,110	07/30/91	Moureaux		
35.		5,036,113	07/30/91	Boon et al.		
36.		5,036,603	08/06/91	Dischler		
37.		5,042,176	08/27/91	Rudy		
38.		5,042,781	08/27/91	Ezure et al.		
39.		5,053,455	10/01/91	Kroggel et al.		
40.		5,059,245	10/22/91	Phillips et al.		
41.		5,090,010	02/18/92	Takahashi		

Examiner:	Date Considered:
-----------	------------------

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM HDP-1449 (Based on Form PTO-1449) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) Sheet 3 of 6	ATTORNEY DOCKET NO.	SERIAL NO.
	4022-000003/DVC	10/784,090
	APPLICANT	
	Henry W. Bonk et al.	
	FILING DATE	GROUP
	February 20, 2004	Unknown

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
42.		5,096,756	03/17/92	Walters		
43.		5,157,082	10/20/92	Johnson		
44.		5,181,717	01/26/93	Donntag		
45.		5,198,042	03/30/93	Masumoto et al.		
46.		5,215,124	06/01/93	Hattori et al.		
47.		5,246,761	09/21/93	Sasaki		
48.		5,292,824	03/08/94	Nagai et al.		
49.		5,294,112	03/15/94	Smith		
50.		5,300,334	04/05/94	Niederst et al.		
51.		5,332,767	07/26/94	Reisser et al.		
52.		5,346,950	09/13/94	Negi et al.		
53.		5,393,832	02/28/95	Moulies et al.		
54.		5,409,041	04/25/95	Yoshida et al.		
55.		5,416,988	05/23/95	Potter et al.		
56.		5,429,852	07/04/95	Quinn		
57.		5,436,295	07/25/95	Nishikawa et al.		
58.		5,456,787	10/10/95	Myles		
59.		5,458,935	10/17/95	Aizner		
60.		5,462,980	10/31/95	Bastioli et al.		
61.		5,489,455	02/06/96	Nugent, Jr. et al.		

Examiner:	Date Considered:
-----------	------------------

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM HDP-1449 (Based on Form PTO-1449)

**PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Sheet 4 of 6

ATTORNEY DOCKET NO.

4022-000003/DVC

SERIAL NO.

10/784,090

APPLICANT

Henry W. Bonk et al.

FILING DATE

February 20, 2004

GROUP

Unknown

U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
62.		5,498,662	03/12/96	Tanaka et al.		
63.		5,532,284	07/02/96	Bartlett et al.		
64.		5,540,770	07/30/96	Schmid et al.		
65.		5,567,489	10/22/96	Allen et al.		
66.		5,578,372	11/26/96	Murakami		
67.		5,591,798	01/07/97	Patel		
68.		5,601,889	02/11/97	Chundury et al.		
69.		5,609,962	03/11/97	Ouhadi		
70.		5,612,101	03/18/97	Furuta et al.		
71.		5,633,065	05/27/97	Matsukura et al.		
72.		5,645,923	07/08/97	Matsuo et al.		
73.		5,648,149	07/15/97	Rukavina		
74.		5,662,738	09/02/97	Schmid et al.		
75.		5,693,424	12/02/97	Watanabe et al.		
76.		5,700,560	12/23/97	Kotani et al.		
77.		5,713,141	02-03-98	Mitchell		
78.		5,952,065	09/14/99	Mitchell et al.		
79.		5,952,065	09/14/99	Mitchell et al.		
80.		6,013,340	01/11/00	Bonk et al.		
81.		6,321,465	11/27/01	Bonk et al.		

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM HDP-1449 (Based on Form PTO-1449) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) Sheet 5 of 6	ATTORNEY DOCKET NO.	SERIAL NO.
	4022-000003/DVC	10/784,090
	APPLICANT	
	Henry W. Bonk et al.	
	FILING DATE	GROUP
	February 20, 2004	Unknown

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
82.		6,391,405	05/21/02	Bonk et al.		
83.		6,599,597	07/29/03	Bonk et al.		
84.		6,730,379	05/04/04	Bonk et al.		

FOREIGN PATENT DOCUMENTS							
Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	No
1.		58-22163 (with English Translation)	02/09/83	Japan		X	
2.		59-196706 (with English Translation)	11/08/84	Japan		X	
3.		59-116145 (with Derwent Abstract)	05/27/87	Japan			X
4.		2,636,638	03/23/90	France		X	
5.		EP 624463 (with Derwent Abstract)	28/04/94	Europe			X
6.		WO 8705563	09/24/87	PCT Application			
7.		52-069486 (with copy of (Derwent Abstract)	06/09/77	Japan			X
8.		62-253428 (Patent Abstracts of Japan, Vol. 12, No. 131 (M-688), 22 April 1988)	11/05/87	Japan			

Examiner:	Date Considered:
-----------	------------------

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM HDP-1449 (Based on Form PTO-1449) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) Sheet 6 of 6	ATTORNEY DOCKET NO.	SERIAL NO.
	4022-000003/DVC	10/784,090
	APPLICANT	
	Henry W. Bonk et al.	
	FILING DATE	GROUP
	February 20, 2004	Unknown

FOREIGN PATENT DOCUMENTS							
Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	No
9.		2,123,053	94/05/06	Canada			
10.		52-69486 (with copy of Derwent Abstract)	1977	JP			X

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)		
Ref. Desig.	Examiner's Initials	
1.		Bayer Sales Brochure, Engineering Polymers Properties Guide, Thermoplastics and Thermosets, May 1995, 3 pages
2.		Encyclopedia of Polymer Science and Engineering, Herman F., Mark et al., eds., 2d Ed., pp. 615-617 & 509 (1985)
3.		Hawley's Condensed Chemical Dictionary, pps. 291,737 (rev. by Richard J. Lewis, Sr., 12th ed., 1993)
4.		McGraw-Hill Dictionary of Scientific and Technical Terms, Sybil P. Parker, ed. 5th ed. 1994

Examiner:	Date Considered:
-----------	------------------

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.